

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

-----	x
ING BANK, fsb (d/b/a ING DIRECT), and	:
ING DIRECT BANCORP,	:
Plaintiffs,	:
v.	:
	Civil Action No. 07-154-GMS
EVERBANK,	:
EVERBANK FINANCIAL CORP., and	:
STONE & WARD, INC. (d/b/a STONE WARD),	:
Defendants.	:
-----	x

**AFFIDAVIT OF MAILING PURSUANT TO 10 DEL. C. § 3104 AND D. DEL. LR 4.1(b)**

FRANCIS DIGIOVANNI, after first being duly sworn, on this 3<sup>rd</sup> day of April, 2007, does depose and say:

1. I am an attorney with the law firm of Connolly Bove Lodge & Hutz LLP and represent plaintiffs in the above captioned action.
2. On March 22, 2007, I caused a copy of the Complaint, the Summons for nonresident defendant EverBank Financial Corp., and letter addressed to nonresident defendant EverBank Financial Corp., and containing the information required by 10 Del. C. § 3104, to be forwarded, via Registered Mail, to defendant EverBank Financial Corp., pursuant to 10 Del. C. § 3104. The Registered Mail receipt for said package is attached hereto as Exhibit "A."

3. The package referenced in paragraph 2, was received by EverBank Financial Corp. and signed for on March 26, 2007. The confirmation/tracking form received from the United States Postal Service is attached hereto as Exhibit "B."



Francis DiGiovanni (#3189)

Sworn to and subscribed before me this 3<sup>rd</sup> day of April, 2007.



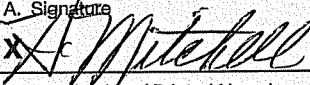
JUDITH I. PETERMAN  
NOTARY PUBLIC  
JUDITH I. PETERMAN  
NOTARY PUBLIC, STATE OF DELAWARE  
MY COMMISSION EXPIRES APRIL 5, 2010

## EXHIBIT A

Registered No. RB 97Z Z3Z 383 US		Date Stamp	
To Be Completed By Post Office	Reg. Fee 7.90	Return Receipt 1.85	 Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).
	Handling Charge 1.83	Postage 1.83 Restricted Delivery	
	Received by <i>S</i>		
	Customer Must Declare Full Value \$ 0	<input checked="" type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance	
<b>OFFICIAL USE</b>			
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Francis D: Giovanni Connally Bove Lodge & Hutz 1007 N. Orange St. P.O. Box 2207 Wilmington, DE 19899	
	TO	Ever Bank Financial Corp. 8100 Nations Way Jacksonville, FL 32256	

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer  
 May 2004 (7530-02-000-9051) (See Information on Reverse)  
 For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com) ®

## EXHIBIT B

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</li> <li><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <b>Mitchell</b></p> <p>C. Date of Delivery <b>03/16/07</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.   </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>1. Article Addressed to:  <b>EverBank Financial Corp.</b>  <b>8100 Nations Way</b>  <b>Jacksonville, FL</b>  <b>32250</b> </p> <p>2. Article Number  <i>(Transfer from service label)</i> <b>RB 972 282 383 U.S.</b></p>			
PS Form 3811, August 2001		Domestic Return Receipt	
		102595-02-M-1540	